

CF Ch 14
2:45 PM
6-24-08
J

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTHONY MANGANIELLO,

Plaintiff,

- against -

DET. LUIS AGOSTINI, Individually and as a New
York City Police Detective, SHAWN ABATE,
individually and as a New York City Police Detective,
P.O. ALEX PEREZ, individually and as a New York
City Police Officer, P.O. MIRIAM NIEVES,
individually and as a New York City Police Officer,
RICHARD MARTINEZ, individually and as a New
York City Police Detective,

Defendants.

07 Civ. 3644 (HB)

VERDICT SHEET

1. Has the Plaintiff proved by a preponderance of the evidence that the Defendant whom you are considering maliciously prosecuted him?

ANSWER YES OR NO:
(in alphabetical order)

Shawn Abate: YES

Luis Agostini: YES

Richard Martinez: NO

Miriam Nieves: NO

Alex Perez: NO

If you answered "yes" to any of the Defendants, go to the next question. If you answered "no" to all of the Defendants, the foreperson must sign and date this verdict sheet on the last page and notify the U.S. Marshal that you are ready to report your verdict to the Court.

2. For each Defendant whom you answered "yes" to in Question 1, has the Plaintiff proved by a preponderance of the evidence that (A) the Defendant misrepresented the evidence to the prosecutors, or failed to provide the prosecutor with material evidence or information, or gave testimony to the Grand Jury that was false or contained material omissions, and (B) the Defendant knew that he or she was making a material misrepresentation or omission or giving false testimony?

ANSWER YES OR NO:
(in alphabetical order)

Shawn Abate: NO

Luis Agostini: YES

Richard Martinez: _____

Miriam Nieves: _____

Alex Perez: _____

3. State the total amount of compensatory damages you award to the Plaintiff:

\$1,426,261.⁰⁰

4. If you awarded compensatory damages in Question 3, state the amount of compensatory damages for which each Defendant whom you answered "yes" to in Question 1 is liable. The total of the amounts that you write below must equal the total that you wrote in answer to Question 3.

(in alphabetical order)

Shawn Abate: \$142,626.¹⁰

Luis Agostini: \$1,283,634.⁹⁰

Richard Martinez: _____

Miriam Nieves: _____

Alex Perez: _____

5. If you did not award compensatory damages in Question 3, for each Defendant whom you answered "yes" to in Question 1, state the amount of nominal damages, not to exceed one dollar, for which that Defendant is liable.

(in alphabetical order)

Shawn Abate: _____

Luis Agostini: _____

Richard Martinez: _____

Miriam Nieves: _____

Alex Perez: _____

6. For each Defendant whom you answered "yes" to in Question 1, do you unanimously believe that Defendant is liable for punitive damages?

ANSWER YES OR NO:

(in alphabetical order)

Shawn Abate: YES

Luis Agostini: YES

Richard Martinez: _____

Miriam Nieves: _____

Alex Perez: _____

WHEN YOU HAVE COMPLETED THIS VERDICT SHEET, THE FOREPERSON WILL SIGN AND DATE IT AND NOTIFY THE U.S. MARSHAL THAT YOU ARE READY TO REPORT YOUR VERDICT TO THE COURT.

Carney Fred
FOREPERSON

6/24/2008
DATE